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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,294	11/19/2003	Kenneth B. Tingey	12710.0024	7537
7590	05/02/2006			EXAMINER
Brent T. Winder Jones Waldo Holbrook & McDonough Suite 1500 170 South Main Street Salt Lake City, UT 84101-1644				CAO, PHUONG THAO
			ART UNIT	PAPER NUMBER
			2164	
			DATE MAILED: 05/02/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/717,294	TINGEY, KENNETH B.	
	Examiner	Art Unit	
	Phuong-Thao Cao	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 November 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 19 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/19/2003</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to Application filed on 11/19/2003.
2. Claims 1-18 are pending.

Information Disclosure Statement

3. The Information Disclosure Statements filed by Applicant on 11/19/2003 were received and considered. References, which have a line on, can not be considered by the Examiner because the Applicant fails to submit copies of those references. Copies of the IDS(s) are enclosed with this action.

Claim Objections

4. Claims 9 and 13 are objected to because of the following informalities: typo “where in” in claim 9; and claim 13 recites “the operational definition” in line 3 and “the operational definitions” in line 6. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites the limitation "the specific entity event" in line 4 and the limitation "the specific entity composite event" in line 5. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claim 18 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 18 is a "system" claim but recites no hardware. Database is defined as "a collection of data arranged for ease of retrieval", so a database does not necessarily be stored and run on a computer. A file or a library can be considered as a database.

Claim 18 also fails to recite a tangible result, a requirement for compliance with the provisions of 35 U.S.C. § 101 in view of the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, published on 26 October 2005, which can be found at

<http://www.uspto.gov/web/offices/pac/dapp/ola/preognitice/guidelines101_20051026.pdf>, particularly with respect to ANNEX IV Computer-Related Nonstatutory Subject Matter, beginning on page 50.

For a result to be tangible, it must be more than just a thought or a computation; it must have real-world value rather than an abstract result. For instance, displaying the data resulting from the operation to a user is an example of tangible result, whereas (for instance), claim 18 merely cites data currently stored in database tables as a tangible result.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-8 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Hinkle (Publication No US 2002/0138376).

As to claim 1, Hinkle teaches:

“A method for managing and collecting data regarding an entity” (see Abstract, [0006] and [0293]), the method comprising the steps of:

“creating a definitions table” (see [0320], [0016], [0252], [0255] and [0114] wherein transaction master table as disclosed in [0114], an example of reference tables or master tables, is equivalent to Applicant’s “definition table”);

“populating the definitions table with operational definitions of entity events” (see [0114] wherein transaction master table is equivalent to Applicant’s “definitions table”, data for identifying each transaction is equivalent to Applicant’s “operational definitions of entity events”, and transaction master table must be populated with these data before it can provide as disclosed);

“creating a transaction table and linking the definitions table thereto so that entity transactions will only be entered using the operational definitions” (see [0069] for transaction table, see [0076]-[0079] and [0144] for the disclosure of transaction processing wherein the retrieving of data descriptor from transaction processing master table and transaction master table (equivalent to Applicant’s “definitions table”) implies the linking between definitions table and transaction table as illustrated in Applicant’s claim language);

“populating the transaction table with real time entity events using operational definitions” (see [0071], [0075]-[0079], 0081 and [0114] wherein data descriptors defining the

process of a transaction as disclosed is equivalent to Applicant's "operational definitions", and transaction journal is equivalent to Applicant's "transaction table").

As to claim 2, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

"wherein the definitions table and the transaction table are combined into a table" (see [0203] wherein the Customer Income Statement table is the combination of definition table and transaction table of customer accounts).

As to claim 3, this claim is rejected based on arguments given above for rejected claim 2 and is similarly rejected including the following:

Hinkle teaches:

"wherein the operational definitions are descriptions of business events" (see [0114] wherein transaction data descriptors are equivalent to Applicant's "operational definitions" and transactions represent business events).

As to claim 4, this claim is rejected based on arguments given above for rejected claim 3 and is similarly rejected including the following:

Hinkle teaches:

“wherein the business events are represented by acronyms, words, concatenated words, truncated words, or symbolic representations” (see [0084] wherein “cash debits” or “credits for account” or unit identifier [0270] are examples of representation of business events).

As to claim 5, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

“wherein step of creating a definitions table created only a single definitions table” (see [0016], [0271] and [0296] wherein Master Table 312 is equivalent to Applicant’s “only a single definitions table”).

As to claim 6, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

“wherein the step of creating a transaction table creates only a single transaction table” (see [0069] wherein transaction journal file or table is equivalent to Applicant’s “a single transaction table”).

As to claim 7, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

“wherein the step of creating a definition table creates a single composite definitions table and a single component definitions table” (see [0114], [0188] and [0189] wherein transaction master table is equivalent to Applicant’s “composite definitions table” and the transaction processing master table is equivalent to Applicant’s “component definitions table”).

As to claim 8, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

“creating an entity event name” (see [0114] and [0188] wherein there must exist an identifier to identify each transaction as disclosed, and this identifier is equivalent to Applicant’s “entity event name”; also see [0148]); and

“entering the entity event name in the definitions table” (see [0114] and [0188] wherein there must exist an identifier to identify each transaction as disclosed, and the identifier must be entered in the transaction master table in order to provide as disclosed wherein transaction master is equivalent to Applicant’s “definitions table” and the identifier is equivalent to Applicant’s “entity event name”).

As to claim 13, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle teaches:

“performing a query on the definitions table to find the operational definition about a specific entity event about to take place” (see [0114], [0077] and [0079] wherein data descriptor

defining the process of a transaction as disclosed is equivalent to Applicant's "operational definition about a specific event", transaction master table or transaction processing master table is equivalent to Applicant's "definitions table", and the disclosure of retrieving data is equivalent Applicant's "performing a query");

"entering real time data about the specific entity event into the transaction table using the operational definitions identified for the specific entity event" (see [0071] and [0081] wherein transaction is equivalent to Applicant's "entity event", data descriptions are equivalent to Applicant's "operational definitions", and transaction journal is equivalent to Applicant's "transaction table").

11. Claims 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by McCarthy ("The REA Accounting Model: A Generalized Framework for Accounting Systems in a Shared Data Environment". The Accounting Review, Vol. LVII, No. 3, July 1982).

As to claim 16, McCarthy teaches:

"A method for entering and accessing entity data in events accounting" (see Abstract, [page 555, column 2, paragraph 2] and [page 565, column 1, paragraph 3]), the method comprising the steps of:

"creating a first set of individual database tables" (see [page 558, column 1, paragraph 2] wherein objects or entities are equivalent to Applicant's "individual database tables");
"displaying specific relationship between the database tables" (see Figure 5a wherein entities are equivalent to Applicant's "database tables");

“proliferating the database tables and specific relationships between the database table in multiple form” (see [page 562, column 1, paragraph 3] wherein the disclosure of the requirement of “both a new instance of this relationship type and a new update or instance of a resource entity type for every new event entity”, wherein each instance of a resource entity type is equivalent to Applicant’s “database table” and each instance of relationship type is equivalent to Applicant’s “specific relationship”, indicates the proliferation of tables and relationships as illustrated in Applicant’s claim language);

“creating a second set of individual database tables to model the multiple form of special relationships” (see [page 558, column 1, paragraph 2 and 3] wherein new objects created from relating information objects (or entities) of different types as disclosed are equivalent to Applicant’s “second set of individual database tables”; also see Figure 5a & 5b for second set of tables, such as stock-flow, duality, responsibility and control, model the multiple form of special relationship);

“graphically displaying the proliferation of database tables and specific relationship via event transaction record” (see [page 567, column 2, paragraph 3] wherein producing information “snapshots” from records of continuing activities or events as disclosed is equivalent to graphically displaying as illustrated in Applicant’s claim language); and

“materializing accounting reports as well as non-accounting model requirements from the event transaction records” (see [page 567, column 1, paragraph 3], [page 567, column 2, paragraph 3 and 4], [page 568, column 1, paragraph 1 and 2] and [page 569, column 1, paragraph 1 and 2] wherein information snapshots concerning accounting objects are equivalent to

Applicant's "accounting reports"; also see [page 560] wherein balance sheets and income statements are accounting reports).

As to claim 17, this claim is rejected based on arguments given above for rejected claim 16 and is similarly rejected including the following:

McCarthy teaches:

"wherein the database tables are populated with information pertaining to constructs, resources, events and agents" (see Abstract and [page 561] and [page 562])

As to claim 18, McCarthy teaches:

"A system architecture for entering and accessing entity data in events accounting" (see Abstract and [page 556, column 1]), comprising:

"a database, designed and configured to contain events accounting information" (see [page 556]);

"a plurality of database tables, designed and configured to containing information pertaining to general entity events" (see [page 558, column 1, paragraph 2] wherein objects or entities are equivalent to Applicant's "database table", and entities such as "cash receipt" and "sale" contain information pertaining to general entity events as illustrated in Applicant's claim language);

"a set of composite events data, recording within database tables to represent composite accounting transaction" (see [page 572, column 2, paragraph 3] the disclosure of treating the two events as one implies that two events occur but only one transaction record which is considered

as composite events data is kept, which further implies the inclusion of a set of composite events data as illustrated in Applicant's claim language; also see [page 567, column 1, paragraph 1] wherein records in entity "inventory" is an example of a set of composite events data); "a set of component events data, recorded with the database tables to represent component transactions of the component transactions of the composite events data" (see [page 567, column 1, paragraph 1] wherein records in entities "raw material", "work in process" and "finished goods" is equivalent to a set of component events data as illustrated in Applicant's claim language).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 9-12, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinkle (Publication No US 2002/0138376) as applied to claims 1 and 8 above, and further in view of McCarthy ("The REA Accounting Model: A Generalized Framework for Accounting System in a Shared Data Environment". The Accounting Review, Vol. LVII, No. 3, July 1982).

As to claim 9, this claim is rejected based on arguments given above for rejected claim 8 and is similarly rejected including the following:

Hinkle does not explicitly teach “wherein the event name is cash receipts”.

McCarthy teach “wherein the event name is cash receipts” (see [page 562, column 2, paragraph 2]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hinkle by the teaching of McCarthy since adding “cash receipts” event name allows the accounting system more effectively in recording the process of payment receipts.

As to claim 10, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Hinkle does not teach “creating an entity composite event name and a least one entity component event name that is related to the composite event name” and “entering the entity composite and component event names in the definition table”.

McCarthy teaches:

“creating an entity composite event name and at least one entity component event name that is related to the composite event name” (see [page 567, column 1, paragraph 1] wherein “inventory” is equivalent to Applicant’s “entity composite event name”, and “raw material”, “work in process” or “finished good” is equivalent to Applicant’s “entity component event name”); and

“entering the entity composite and component event names in the definitions table” (see [page 562, column 1, paragraph 2] wherein individual form containing detailed descriptions of all transactions is equivalent to Applicant’s “definitions table” and there must be a identifier or name to identify each transaction or event).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hinkle by the teaching of McCarthy since creating an entity composite event name and a least one entity component event name that is related to the composite event name and entering the entity composite and component event names in the definition table provide an effective and flexible way to record and handle transactions or events to the requirements of the users. Users can view records of composite events or component events.

As to claim 11, this claim is rejected based on arguments given above for rejected claim 10 and is similarly rejected including the following:

Hinkle as modified teaches:

“entering the composite event name into a composite event definitions table” (see [0114] wherein transaction master table providing data for identifying each transaction is equivalent to Applicant’s “composite event definitions table”, and there must exist an identifier to identify each transaction or event as disclosed wherein the identifier is equivalent to Applicant’s “composite event name”); and

“entering the component event name into a component event definitions table” (see [0114] wherein the transaction processing master table providing data for subtransaction

decompositions is equivalent to Applicant's "component event definitions table", and there must exist an identifier to identify each subtransaction wherein subtransaction is equivalent to Applicant's "component event" and identifier is equivalent to Applicant's "component event name").

As to claim 12, this claim is rejected based on arguments given above for rejected claim 10 and is similarly rejected including the following:

Hinkle as modified teaches:

"wherein the entity composite event name is cash receipts and the entity component event names are debit cash and credit account" (see [0084] wherein cash debits and credits for account are disclosed as component transactions of exchanges of funds wherein transaction is equivalent to Applicant's "event" and exchange of funds is equivalent to Applicant's "cash receipts").

As to claim 14, this claim is rejected based on arguments given above for rejected claim 10 and is similarly rejected including the following:

Hinkle as modified teaches:

"performing a query on the definitions table to find the operational definition about a specific entity event about to take place" (see [0114], [0077] and [0079] wherein data descriptor defining the process of a transaction as disclosed is equivalent to Applicant's "operational definition about a specific event", transaction master table or transaction processing master table is equivalent to Applicant's "definitions table", and the disclosure of retrieving data is equivalent Applicant's "performing a query");

“entering real time data about the specific entity event into the transaction table using the operational definitions identified for the specific entity event” (see [0071] and [0081] wherein transaction is equivalent to Applicant’s “entity event”, data descriptions are equivalent to Applicant’s “operational definitions”, and transaction journal is equivalent to Applicant’s “transaction table”).

As to claim 15, this claim is rejected based on arguments given above for rejected claim 11 and is similarly rejected including the following:

Hinkle as modified teaches:

“performing a query on the composite definitions table (see [0114], [0071], [0077] and [0079] wherein transaction master table or transaction processing master table is equivalent to Applicant’s “composite definitions table”, and the disclosure of retrieving data including a collection of data descriptions is equivalent Applicant’s “performing a query on the composite definitions table”);

“entering real time data about the specific entity event into the composite transaction table using the operational definitions identified for the specific entity composite event” (see [0071] and [0081] wherein wherein data descriptors defining the process of a transaction as disclosed is equivalent to Applicant’s “operational definitions about a specific event”, transaction is equivalent to Applicant’s “entity event”, data descriptions are equivalent to Applicant’s “operational definitions”, and transaction journal is equivalent to Applicant’s “composite transaction table”).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PTC

April 21, 2006

Phuong-Thao Cao
Primary Examiner
Art Unit 2164